

CASEY J. QUINN
NEVADA BAR NO. 11248
SELMAN BREITMAN LLP
3993 Howard Hughes Parkway, Suite 200
Las Vegas, NV 89169
Telephone: 702-228-7717
Facsimile: 702-228-8824
Email: cquinn@selmanlaw.com

LINDA WENDELL HSU (PRO HAC VICE)
CALIFORNIA BAR NO. 162971
SELMAN BREITMAN LLP
33 New Montgomery Street, Sixth Floor
San Francisco, CA 94105
Telephone: 415-979-2024
Facsimile: 415-979-2099
Email: lhsu@selmanlaw.com

Attorneys for Plaintiff
NAUTILUS INSURANCE COMPANY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NAUTILUS INSURANCE COMPANY,

Plaintiff,

v.

ACCESS MEDICAL, LLC, ROBERT
“SONNY” WOOD, II,

Defendants.

Case No. 2:15-CV-00321-JAD-BNW

STIPULATION AND ORDER ON
EXTENSION OF DEADLINE TO FILE
NEW MOTION REGARDING THE
REASONABLENESS OF NAUTILUS’S
REIMBURSEABLE DEFENSE
EXPENDITURES

[FIRST REQUEST] ECF No. 196

Plaintiff, Nautilus Insurance Company (“Plaintiff”), by and through its counsel, Selman Breitman, LLP, and Defendants, Access Medical, LLC, and Robert “Sonny” Wood, II (collectively, “Defendants”), by and through their counsel, the Schnitzer Law Firm, hereby stipulate to extend Plaintiff’s deadline from November 24, 2022, to December 23, 2022, to file a new motion as

1 contemplated in the Court's Order Granting in Part and Denying in Part Nautilus's Motion for
2 Summary Judgment (ECF No. 194) ("Order").

3 In the Order, the Court held that it was unable to make a determination whether Nautilus'
4 pre-complaint expenditures on the insureds' behalf were reasonable. As a result, it denied that part
5 of Nautilus' motion for summary judgment requesting a ruling that such expenditures were
6 reasonable, without prejudice. However, the Court allowed Nautilus 14 days from the date of the
7 entry of the Order to file a new motion on the narrow issue of whether the amount of attorney fees
8 expended by Nautilus in the underlying *Switzer* action was reasonable under local practices and
9 reasonable under the factors set forth in *Brunzell v. Golden Gate Nat. Bank*, 455 P.2d 31 (Nev.
10 1969). Given that the Order was entered on November 10, 2022, the deadline for filing such a new
11 motion is November 24, 2022. By this stipulation, the parties agree to continue this deadline to
12 December 23, 2022. This is the first request to extend this deadline.

13
14 Good cause exists to extend Nautilus' deadline to file a new motion. First, the attorney fee
15 analysis requested requires Nautilus to analyze the following factors set forth in *Brunzell v. Golden*
16 *Gate Nat. Bank*, 455 P.2d 31 (Nev. 1969):

17 (1) the qualities of the advocate: his ability, his training, education, experience,
18 professional standing and skill; (2) the character of the work to be done: its
19 difficulty, its intricacy, its importance, time and skill required, the responsibility
20 imposed and the prominence and character of the parties where they affect the
21 importance of the litigation; (3) the work actually performed by the lawyer: the
22 skill, time and attention given to the work; [and] (4) the result: whether the attorney
23 was successful and what benefits were derived.

24 See Order at 13. Nautilus has determined that it needs more than 14 days to perform the analysis
25 required to assess the factors listed above. This request is made in good faith and is not intended to
26 unreasonably delay this matter.

27 Based on the foregoing, the parties respectfully request that this Court extend Nautilus'
28 deadline to file a new motion on the reasonableness of its attorney fee request from November 24,
2022, to December 23, 2022.

Dated this 23rd day of November, 2022.

SELMAN BREITMAN LLP

THE SCHNITZER LAW FIRM

By: /s/ Casey J. Quinn
CASEY J. QUINN, NV Bar #2798
LINDA WENDELL HSU, *pro hac vice*
3993 Howard Hughes Parkway, Suite 200
Las Vegas, NV 89169

By: /s/ Jordan P. Schnitzer
JORDAN P. SCHNITZER, NV Bar #10744
9205 W. Russell Road, Suite 240
Las Vegas, NV 89148

Attorneys for Plaintiff Nautilus Insurance Co.

*Attorneys for Defendants Access Medical LLC
& Robert "Sonny" Wood, II*

ORDER

Based on the parties' stipulation [ECF No. 196] and good cause appearing, **IT IS ORDERED THAT** the deadline for the filing of Nautilus's new motion regarding the reasonableness of its attorney fee request is extended from November 24, 2022, to December 23, 2022.

DATED: November 29, 2022, nunc
pro tunc to November 24, 2022.


UNITED STATES DISTRICT JUDGE
JENNIFER A. DORSEY

Selman Breitman LLP
ATTORNEYS AT LAW